

United States District Court
Eastern District of Michigan

United States of America

v.

Cario Taylor /

Defendant

ORDER OF DETENTION PENDING TRIAL

Case Number: 07-30046

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

Part I – Findings of Fact**T** (1) I find that:**T** there is probable cause to believe that the defendant has committed an offense**T** for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841 or 846;**“** under 18 U.S.C. § 924(c).

T (2) I further find that the defendant has not rebutted the presumption established by finding that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

Alternative Findings

T I find that the government has established by a preponderance of the evidence that there is a serious risk that the defendant will not appear. - **Defendant has three pending warrants for failure to appear in court.**

“ I find that the government has established by clear and convincing evidence that there is a serious risk that the defendant will endanger the safety of another person or the community.

Part II – Written Statement of Reasons for Detention

T I find that the credible testimony and information submitted at the hearing established the following factors under 18 U.S.C. § 3142(g):

T (a) nature of the offense - Possession with intent to distribute 1 kilogram of cocaine.**T** (b) weight of the evidence - Very strong.**T** (c) history and characteristics of the defendant - One prior drug felony conviction; 3 FTA warrants**T** 1) physical and mental condition - Long-term drug user (marijuana).**T** 2) employment, financial, family ties - Has family ties, but no job or property.**T** 3) criminal history and record of appearance - Convicted of drug felony; 3 FTA warrants.**T** (d) probation, parole or bond at time of the alleged offense - On lifetime probation for drug conviction.**“** (e) danger to another person or community -

Pretrial Services recommends detention for this 29 year old, unemployed defendant. Mr. Taylor is charged with possession with intent to distribute one kilogram of cocaine. The evidence is strong. Defendant has a prior drug felony conviction and was on lifetime probation. He provided false identification to arresting officers. He has three warrants against him for failure to appear in court. I fully agree with the detention recommendation of Pretrial Services.

Part III – Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

s/Donald A. Scheer*Signature of Judge*Donald A. Scheer, United States Magistrate Judge*Name and Title of Judge*

Date: January 22, 2007